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LETTER DATED 8 NOVEMBER 1991 FROM THE PERMANENT REPRESENTATIVES OF BELGIUM, FRANCE AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to bring to your attention the text, in English and French, of a declaration on Yugoslavia adopted by the European Community and its member States at their ministerial meeting held in Rome on 8 November 1991.

We should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Paul NOTERDAEME
Permanent Representative of Belgium
to the United Nations

(Signed) Jean-Bernard P. H. P. MERIMEE
Permanent Representative of France
to the United Nations

(Signed) Sir David HANNAY
Permanent Representative of the
United Kingdom to the United Nations

Annex

[Original: English/French]

Declaration on Yugoslavia

(Extraordinary EPC Ministerial meeting,
Rome, 8 November 1991)

The European Community and its member States held an extraordinary Ministerial meeting in Rome today, 8 November 1991, to assess the Yugoslav crisis. They took note of the evaluation presented by Lord Carrington of the 8th plenary session of the Yugoslav Conference which took place in The Hague on 5 November.

The were deeply concerned at the fact that the fighting and indiscriminate bloodshed continued in spite of repeated cease-fire commitments. In this respect, they drew attention to the unacceptable threats and use of force against the population of Dubrovnik. Moreover, commitments for deblocking of barracks and withdrawal of JNA forces, to which parties subscribed on 18 October in The Hague and were reaffirmed on 5 November, have not been complied with. They reiterate that the use of force and a policy of fait accompli to achieve changes of borders is illusory and will never be recognized by the Community and its member States.

The Community and its member States also noted with great concern that the basic elements of the proposals on behalf of the Twelve put forward by Lord Carrington, aimed at a comprehensive political situation, have not been supported by all the parties. As a consequence, the negotiating process has been put in jeopardy.

In the light of the seriousness of the situation, the Community and its member States have decided to take the following measures:

- immediate suspension of the application of the trade and cooperation Agreement with Yugoslavia and a decision to terminate the same Agreement,

- restoration of the quantitative limits for textiles,

- removal of Yugoslavia from the list of beneficiaries of the General System of Preferences,

- formal suspension of benefits under the Phare programme. Yugoslavia has not been invited to take part in the next Ministerial meeting of G-24 on 11 November 1991.

Furthermore the Community and its member States asked those member States which are also members of the Security Council of the United Nations to invite the Security Council to reach agreement on additional measures to enhance the effectiveness of the arms embargo.

They, in the same way, also invited the United Nations Security Council to take the necessary steps towards imposing an oil embargo.

Additional economic and political measures are being considered for implementation when and wherever necessary.

The Community and its member States decided that positive compensatory measures will be applied vis-à-vis parties which do cooperate in a peaceful way towards a comprehensive political solution on the basis of the EC proposals.

The Community and its member States remain firmly committed to such a comprehensive political arrangement. They stress that the only way out of the crisis is through negotiations in good faith without the use of force.

In this respect they recall that the prospect of recognition of the independence of those Republics wishing it, can only be envisaged in the framework of an overall settlement, that includes adequate guarantees for the protection of human rights and rights of national or ethnic groups. They urge parties concerned to prepare forthwith legal provisions to this end.

The Community and its member States are also extremely concerned about the humanitarian aspects of the crisis and insist that all parties involved allow emergency aid to reach the communities in need and the many persons displaced by the fighting. All involved should be reminded of their personal responsibility in complying with the basic humanitarian standards set out in the Geneva Conventions.

Despite the continuous violations of the cease-fire, the Conference is the only place where talks on a peaceful solution can continue among all parties.

In the light of the above, the Community and its member States launch an urgent appeal to the parties concerned to create the necessary conditions for an early continuation of the Conference. They urge other countries to support their positions.

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GENERAL ASSEMBLY
Forty-sixth session
Agenda items 33 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-sixth year

Report of the Secretary-General

1. The present report is submitted in accordance with General Assembly resolution 45/68 of 6 December 1990 on the question of convening the International Peace Conference on the Middle East. The operative part of the resolution reads as follows:

"The General Assembly,

"...

"1. Reaffirms the urgent need to achieve a just and comprehensive settlement of the Arab-Israeli conflict, the core of which is the question of Palestine;

"2. Calls once again for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 and the legitimate national rights of the Palestinian people, primarily the right to self-determination;

"3. Reaffirms the following principles for the achievement of comprehensive peace:

"(a) The withdrawal of Israel from the Palestinian territory occupied since 1967, including Jerusalem, and from the other occupied Arab territories;

"(b) Guaranteeing arrangements for security of all States in the region, including those named in resolution 181 (II) of 29 November 1947, within secure and internationally recognized boundaries;

"(c) Resolving the problem of the Palestine refugees in conformity with General Assembly resolution 194 (III) of 11 December 1948, and subsequent relevant resolutions;

"(d) Dismantling the Israeli settlements in the territories occupied since 1967;

"(e) Guaranteeing freedom of access to Holy Places, religious buildings and sites;

"4. Notes the expressed desire and endeavours to place the Palestinian territory occupied since 1967, including Jerusalem, under the supervision of the United Nations for a limited period, as part of the peace process;

"5. Once again invites the Security Council to consider measures needed to convene the International Peace Conference on the Middle East, including the establishment of a preparatory committee, and to consider guarantees for security measures agreed upon by the Conference for all States in the region;

"6. Requests the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference, and to submit progress reports on developments in this matter."

2. On 26 June 1991, the Secretary-General, in pursuance of the request contained in paragraph 6 of the above-mentioned resolution, addressed the following letter to the President of the Security Council:

"I have the honour to refer to resolution 45/68 concerning the convening of the International Peace Conference on the Middle East, which the General Assembly adopted at its forty-fifth session, on 6 December 1990, and the text of which is attached.

"Paragraph 6 of the resolution requests me to continue my efforts with the parties concerned, and in consultation with the Security Council, to facilitate the convening of the Conference and to submit progress reports on developments in this matter. I should be grateful if the Security Council would assist me in the drafting of such a report by communicating to me, before 15 August 1991, its views on the convening of the International Peace Conference on the Middle East."

3. As at 8 November 1991, no reply has been received from the Security Council.

4. In a note verbale to the parties concerned, dated 27 June 1991, the Secretary-General sought the positions of the Governments of Egypt, Israel, Jordan, Lebanon and the Syrian Arab Republic, and of the Palestine Liberation Organization, in regard to the International Peace Conference on the Middle East as called for in General Assembly resolution 45/68. As at 8 November 1991, the following replies had been received:

Note dated 7 October 1991 from the Permanent Representative of Israel

"The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to his note verbale dated 27 June 1991, regarding General Assembly resolution 45/68 of 6 December 1990, concerning the convening of the International Peace Conference on the Middle East.

"Israel has voted consistently against the General Assembly resolutions which called for the convening of an International Peace Conference on the Middle East.

"Israel has long advocated direct negotiations as the only promising framework to advance the peace process in the Middle East. General Assembly resolution 45/68 proposes an International Peace Conference that is designed to subvert - rather than support - direct negotiations. Characteristically, the verb 'negotiate' or any of its derivatives, are not to be found in the resolution.

"Indeed, Israel is currently engaged in a process that will hopefully result in direct negotiations between Israel and its Arab neighbours. In calling for an international conference, then, resolution 45/68 is entirely irrelevant and detached from reality. Support for this resolution only exemplifies inattentiveness to the positive political developments taking place outside the halls of the United Nations.

"Moreover, General Assembly resolution 45/68, while including a reference to Security Council resolutions 242 (1967) and 338 (1973), also affirms in its operative paragraph 3 a series of principles which prejudge and subvert the possible outcome of peace negotiations and the very principles contained in Security Council resolutions 242 and 338. It also calls for the participation in the international conference of the PLO, a terrorist organization which cannot be considered a partner to peace negotiations."

Note dated 26 August 1991 from the Permanent Mission of Lebanon

"The Permanent Mission of Lebanon to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to his Note 45/68-EOSG 3840 of 27 June 1991, has the honor to transmit Lebanon's position regarding the 'International Peace Conference on the Middle East' as adopted by the Lebanese Council of Ministers in its meeting on 23 July 1991.

"On the basis of Lebanon's commitment to Arab causes, particularly the cause of the Palestinian people and its right to self-determination and to return to its territory, and the liberation of all occupied Arab territories and the attainment of a just peace in the region,

"Affirming the general Arab position with regard to the convening of an International Conference to establish peace,

"Inasmuch as a large number of Palestinians have settled in Lebanese territory,

"Bearing in mind that the Israeli occupation of Lebanese territory took place in 1978 and later and that it was decided to put an end to that occupation on the basis of Security Council resolution 425 (1978), which is the subject of an international consensus and needs only to be fully implemented,

"On the basis of Lebanon's commitment to international legitimacy, its institutions and the principles on which it is based and to the resolutions arising from it, particularly concerning its rejection of any violation of the territorial integrity or full territorial sovereignty of any State, and asserting the firm Lebanese position which is aimed at resolving the issue of Lebanese occupation separately from the issue of the Middle East,

"On the basis of all these constant factors, the Council of Ministers has decided as follows:

"1. To support the efforts being made for the convening of an International Conference to resolve the Middle East issue and the establishment of a just and comprehensive peace in the region;

"2. To agree in principle to attend the conference and to affirm that Lebanon, while concerned for the cause of peace in the region, for the right of the Palestinian people to self-determination in its national territory and for the liberation of all the occupied Arab territories, is concerned, in the first instance, for the total liberation of its own territory;

"3. That the attendance of Lebanon at the International Conference would by no means imply that there is any link between resolving the issue of Lebanon and resolving that of the Middle East;

"4. To reject absolutely any attempt to settle the Palestinians in Lebanese territory;

"5. That the solution to the problem of the Israeli occupation of Lebanese territory lies in the implementation of Security Council resolution 425 (1978), which calls for the withdrawal of occupying Israeli forces, unreservedly and unconditionally, from Lebanese territory to internationally recognized boundaries and enabling the State of Lebanon to exercise full de facto authority over all Lebanese territory;

"6. To confirm the application of the Armistice Agreement of 1949 and adherence to all its provisions."

Observations

5. As Member States are certainly aware, a number of important developments have taken place since the General Assembly adopted resolution 45/66 on 6 December 1990. In this connection, it should be noted in particular that a negotiating process involving the parties to the Arab-Israeli conflict has recently been launched following the convening of a peace conference on the Middle East, held in Madrid from 30 October to 1 November 1991, under the co-sponsorship of the Soviet Union and the United States.